

10/510643

Rec'd PCT/PTO 08 OCT 2004

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Customer No. 22,852

Attorney Docket No. 09471.0014

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Catherine CASTAN et al. )  
) Group Art Unit:  
Application No.: Not Yet Assigned )  
) Examiner:  
Filed: October 8, 2004 )  
)  
For: ORAL SUSPENSION OF )  
MICROCAPSULES OF ACTIVE )  
PRINCIPLES )

U.S. National Phase of International Application No. PCT/FR03/01096

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449 and cited in the international search report. Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO-1449 and are in a non-English language:

1. German Application No. 39 43 242 A1
2. European Application No. 0 624 371 A1

In lieu of a statement of relevance or the translation of the non-English documents, enclosed is an international search report from the European Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing these documents and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 8, 2004

By: 

Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/gah

## INFORMATION DISCLOSURE CITATION

Atty. Docket No. 09471.0014	Application No.
Applicant Catherine CASTAN et al.	
Filing Date October 8, 2004	Group:

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
		0 475 536 A1	03/18/0992	Europe			
		39 43 242 A1	06/28/1990	Germany			No
		0 624 371 A1	11/17/1994	Europe			No
		1 123 700 A1	08/16/2001	Europe			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	